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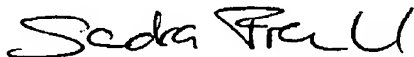
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In regards to Serial No. 10/505,315
Shen, et al.

Response to Election/ Restriction Requirement and Preliminary
Amendment

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shen, et al.

CONFIRMATION NO: 2385

APPLICATION NO: 10/505,315

ART UNIT: 1638

FILING DATE: May 16, 2005

EXAMINER: Kubelik, Anne R.

FOR: Novel Vip3 Toxins and Methods of Use

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT and
PRELIMINARY AMENDMENT

Sir:

In response to the Restriction/Election Requirement mailed October 18, 2006 Applicants elect group VIII (claims 49-60, 63-75, 79, 80, 90 and 95-98) without traverse.

No fee is believed to be due with this Response. However, if the Commissioner determines that a fee is required, the Commissioner is authorized to charge such fee to Account No. 50-1744 in the name of Syngenta Biotechnology Inc.

Prior to examination on the merits, please amend the application as follows.